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ATTN. Nghi V. Tran

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FROM Volel Emile, Esq.

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SUBJECT Response to 1st Office Action (10/006,059)

Number of Pages 16

Date 4/26/2005

MESSAGE

This fax communication contains:

1. one copy of a Fax Transmittal Form;
2. one copy of a Fee Transmittal Letter; and
3. one copy of the Response.

Volel

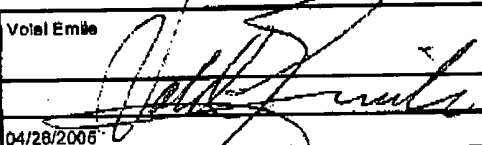
PTO/SB/21 (02-04)


Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/008,059
	Filing Date	12/08/2001
	First Named Inventor	Dwip N. Banerjee
	Art Unit	2151
	Examiner Name	Nghi V. Tran
	Attorney Docket Number	AUS920010871US1
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Volet Emile	
Signature		
Date	04/26/2005	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Volet Emile		
Signature		Date	04/26/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DOCKET NUMBER: AUS920010871US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 26 2005

In re: Application of: :
 Dwip N. Banerjee : Before the Examiner:
 : Nghi V. Tran
 Serial No: 10/006,059 :
 : Group Art Unit: 2151
 Filed: 12/06/2001 :
 : Confirmation No.: 8983
 Title: APPARATUS AND METHOD OF :
 USING XML DOCUMENTS TO PERFORM :
 NETWORK PROTOCOL SIMULATION :

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified Application.

☒ No additional fee is required
 _____ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee
Total	20	MINUS	20	=	0	x 50 =	\$ 0.00
Indep.	4	MINUS	4	=	0	x 200 =	\$ 0.00
1st Presentation of Multiple Dep. Claim						x 360 =	\$ 0.00
TOTAL							\$ 0.00

_____ Please charge my Deposit Account No. 09-0447 in the amount of \$ 0.00.
 A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following
 fees associated with this communication or credit any overpayment to
 Deposit Account 09-0447. A duplicate copy of this sheet is enclosed.

☒ Any additional fees required under 37 CFR \$1.16 for the presentation
 of extra claims.

☒ Any patent application processing fees under 37 CFR \$1.17.

Respectfully submitted,

By: 

Volel Emile
 Registration No. 39,969
 (512) 306-7969

Appl. No. 10/006,059
Amdt. dated 04/26/2005
Reply to Office Action of 01/26/2005

APR 26 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Banerjee et al. :
Serial No: 10/006,059 : Before the Examiner:
 : Nghi V. Tran
Filed: 12/06/2001 : Group Art Unit: 2151
 : Confirmation No.: 8983
Title: APPARATUS AND METHOD :
OF USING XML DOCUMENTS TO :
PERFORM NETWORK PROTOCOL :
SIMULATION :

AMENDMENT A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of January 26, 2005,
please amend the above-identified Application as shown
below and consider the following Remarks.

Amendments to the Specification begin on page 2 of this
paper.

Amendments to the CLAIMS begin on page 4 of this paper.

Remarks begin on page 9 of this paper.

AUS920010871US1

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